



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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September 04, 2012

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

41 September 4, 2012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**ADOPT, ADVERTISE, AND AWARD
MEDIAN LANDSCAPE IMPROVEMENTS
VERMONT AVENUE MEDIAN LANDSCAPING, PHASE 2
IN THE UNINCORPORATED COMMUNITY OF WEST CARSON
(SUPERVISORIAL DISTRICT 2)
(3 VOTES)**

SUBJECT

This action is to approve the project to construct median landscape improvements on Vermont Avenue between Del Amo Boulevard and Lomita Boulevard in the unincorporated community of West Carson; adopt the plans and specifications; call for bids; and authorize the Director of Public Works or her designee to award, execute, and implement a construction contract with the apparent responsible contractor with the lowest responsive bid.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve the project and adopt the plans and specifications that are on file in the Construction Division of the Department of Public Works for median landscape improvements, in the unincorporated community of West Carson, at an estimated construction contract cost between \$700,000 and \$950,000.
2. Instruct the Executive Officer of the Board of Supervisors to advertise for bids to be received and opened on October 2, 2012, in accordance with the Instruction Sheet for Publishing Legal Advertisement.
3. Authorize the Director of Public Works or her designee to award, execute, and implement a construction contract with the apparent responsible contractor with the lowest responsive bid within

the estimated cost range, approve the Faithful Performance and Labor and Material Bonds and insurance submitted by the contractor, and deliver the project.

4. Delegate to the Director of Public Works or her designee the following authority in connection with this contract: (1) approve and execute change orders within the same monetary limits delegated to the Director of Public Works under Section 2.18.050 of the Los Angeles County Code relative to the construction of County buildings; (2) allow substitution of subcontractors and relief of bidders upon demonstration of the grounds set forth in Public Contract Code Sections 4100 et seq. and 5100 et seq., respectively; (3) accept the project upon its final completion; (4) release retention money withheld consistent with the requirements of Public Contract Code Sections 7107 and 9203; and (5) extend the date and time for the receipt of bids consistent with the requirements of Public Contract Code Section 4104.5.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to obtain approval of the project from your Board; adopt the plans and specifications; advertise for bids; and authorize the Director of Public Works (Director) or her designee to award, execute, and implement a construction contract with the apparent responsible contractor with the lowest responsive bid for the construction of median landscape improvements and the performance of other appurtenant work.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Integrated Services Delivery (Goal 3). The recommended actions will help achieve these goals by enhancing the aesthetics of the street medians along Vermont Avenue thereby improving the quality of life for community residents.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated construction contract cost to complete this project is in the range of \$700,000 to \$950,000. The total project cost is estimated to be \$1,513,000. In addition to the construction contract cost, the total project cost includes the preparation of plans and specifications, consultant services, survey, materials testing, inspection, contract administration, change order contingency, and other County services.

This project will be administered under the Federal Transportation Enhancement Activities program covered by Agreement No. 76078 with the State of California. Under this program, Federal grant funds in the amount of \$684,000 will be used to finance a portion of the construction cost of the project. The remaining project cost in the amount of \$829,000 will be funded by the Road Fund.

Funding for this project is included in the Second Supervisorial District's Road Construction Program in the Fiscal Year 2012-13 Road Fund Budget.

The annual maintenance cost of the landscaping improvements, including graffiti removal, is estimated to be \$36,000. Sufficient appropriation will be included in the Second Supervisorial District's Annual Road Construction Program in the Road Fund Budget to finance the ongoing maintenance cost.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This project, to contract for the construction of median landscape improvements, is part of the Department of Public Works' (Public Works) ongoing program for the improvement of medians. It will be advertised in accordance with Section 20392 of the State Public Contract Code.

This project is to be completed in 90 working days. It is estimated the work will start in December 2012 and be completed in April 2013.

Delegating to the Director or her designee the authority to award, execute, and implement this construction contract allows an expedited contracting process to meet the State and Federal funding requirements.

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel.

The award of the contract will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting your Board's ordinances, policies, and programs including, but not limited to: Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the Los Angeles County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

ENVIRONMENTAL DOCUMENTATION

On January 31, 2012, Agenda Item 21, your Board found this project categorically exempt from the

provisions of the California Environmental Quality Act.

CONTRACTING PROCESS

This project will be contracted on an open-competitive bid basis. A recommendation for award by the Director or her designee will be made after review of the bids meeting the criteria established by your Board and the State Public Contract Code. The County Local Small Business Enterprise preference will not be applied to the determination of the lowest responsive and responsible bidder. To be eligible for the Federal funds financing a portion of this project, Title 49, Code of Federal Regulations, requires award to the lowest bidder.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on the County website for upcoming bids.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, it will have a positive impact by enhancing the aesthetics of the medians along Vermont Avenue thereby improving the quality of life for the community residents.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Construction Division.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:JTS:ma

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office
Internal Services Department (Countywide
Contract Compliance)